

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Hazardous Technologies, Inc.  
3942 E. Grand Avenue  
Pomona, CA 91766

ID No. CAR000168229

Respondent.

Docket HWCA 20071327

CONSENT ORDER

Health and Safety Code  
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Hazardous Technologies, Inc. (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent transports hazardous waste.

1.3. Inspection. The Department inspected the Respondent on July 28 and August 1 of 2006.

1.4. Authorization Status. The Department authorized Respondent to manage hazardous waste by Hazardous Waste Transporter Number 1148.

1.5. Jurisdiction. Health and Safety Code section 25187, authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

1.6. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all of the

terms contained herein, are fair, reasonable, and in the public interest. By agreeing to this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.7. Hearing. Respondent waives any and all rights to a hearing in this matter.

## 2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.2. The Respondent violated Health and Safety Code, section 25201, subdivision (a), in that Respondent stored hazardous waste, in excess of the 10 days allowed under the transfer facility exemption (title 22, California Code of Regulations, section 66263.18), without a permit or other grant of authorization from the Department.

2.3. Respondent violated California Code of Regulations, title 22, section 66263.20, subsections (a) and (b), in that Respondent accepted hazardous waste from a generator accompanied by manifests not completed (undated).

## 3. SCHEDULE FOR COMPLIANCE

3.1. The Respondent has corrected the violations cited above. The Respondent shall operate hereafter in a manner that shall prevent recurrences of the violations cited herein.

3.2. Respondent shall make all payments at the time(s) and in accord with any other conditions set forth in Section 5 (Penalty) below.

## 4. OTHER PROVISIONS

4.1. Liability. Nothing in this Order shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Respondent, except as provided in this Order.

Notwithstanding compliance with the terms of this Order, Respondent may be required to take such further actions as are necessary to protect public health or welfare or the environment.

4.2. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code, section 25188, and other applicable provisions of law.

4.3. Parties Bound. This Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

4.4. Integration. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Order.

## 5. PENALTY

5.1. Respondent shall pay the Department a total sum of \$4,000.00.

5.2. The payment of \$4,000.00 is due and payable within 30 days from the effective date of this Order.

5.3. Respondent's check(s) shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number, as shown in the caption of this case, and shall be delivered to:

Department of Toxic Substances Control  
Accounting Office  
1001 I Street, 21st floor  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check(s) shall be sent to:

Robert Kou, Unit Chief  
Statewide Compliance Division  
Department of Toxic Substances Control  
1011 N. Grandview Avenue  
Glendale, California 91201

and

Ramon Perez, Esq.  
Office of Legal Counsel  
Department of Toxic Substances Control  
9174 Sky Park Court, Suite 150  
San Diego, California 92123

If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code section 25360.1, and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

5.3. Respondent hereby agrees to send one employee to the California Compliance School, Modules I-IV. Attendance must be completed and Respondent must submit a Certificate of Satisfactory Completion issued by the California Compliance School to the Department of Toxic Substances Control within 185 days of the date of this Order. In recognition of this educational investment, the penalty imposed by this Order has been reduced by \$5,000.00 if the employee satisfactorily completes the specified school and the Department receives the Certificate of Satisfactory Completion within 185 days of the effective date of this Order. If Respondent fails to submit the certificate as required, the penalty of \$5,000.00 is due and payable within 30 days after the 185-day period expires. The 185-day period may be extended by a Department Branch Chief upon a written request demonstrating good cause from Respondent.

6. EFFECTIVE DATE

6.1. The effective date of this Order is the date it is signed by the Department.

Dated: March 7, 2007

Original signed by Dannette Tice  
Respondent Signature

Dannette Tice  
Print Name of Respondent

Dated: April 6, 2007

Original signed by Robert Kou  
Robert Kou, Unit Chief  
Glendale Branch  
Statewide Compliance Division  
Department of Toxic Substances Control